

★ APR 24 2013 ★

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

BROOKLYN OFFICE

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DR. GERALD FINKEL, as Chairman of the  
Joint Industry Board of the Electrical Industry,

Plaintiff,

**ORDER**

- against -

No. 12-cv-1845 (NG) (RER)

COMMERCE ELECTRICAL CONTRACTING  
CORP.,

Defendant.  
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**GERSHON, United States District Judge:**

On a total recommended award of \$276,174.50, plaintiff has filed an objection to the reduction taken by Magistrate Judge Reyes of \$159, which arises from his reduction of the paralegal hourly rate from \$90 to \$80. While either rate would be within the reasonable range, I see no reason to disturb Judge Reyes' reliance on those Eastern District cases awarding \$80 in similar cases.

Under Rule 72 of the Federal Rules of Civil Procedure, I now adopt Judge Reyes' recommendations in their entirety and direct the Clerk of Court to enter a default judgment against the defendant in the total amounts of:

- i. \$222,484.13 in unpaid benefit contributions;
- ii. \$5,584.35 in interest on all unpaid contributions, plus a per diem rate of \$17.47 running from February 9, 2013 until the entry of judgment;
- iii. \$226.78 in interest on late-paid contributions;

- iv. \$44,837.95 in liquidated damages; and
- v. \$3,041.29 in attorneys' fees and costs.

**SO ORDERED.**

s/Nina Gershon

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**NINA GERSHON**  
**United States District Judge**

Dated: April 24, 2013  
Brooklyn, New York